

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 1:20CR782
	)	
Plaintiff,	)	JUDGE DAN AARON POLSTER
	)	
v.	)	
	)	
NICHOLAS GILLIAM,	)	
	)	
Defendant.	)	<u>PRELIMINARY ORDER OF FORFEITURE</u>

The United States of America has filed a Motion for a Preliminary Order of Forfeiture in the above-captioned case.

1. On January 28, 2021, a federal grand jury sitting in this district returned a one-count Superseding Indictment against Nicholas Gilliam, charging him with violations of 18 U.S.C. §§ 922 and 924.

2. The Superseding Indictment further sought forfeiture, pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), of any and all firearms and ammunition involved in or used in the commission of the violation charged in Count 1; including, but not limited to the following: a Ruger, Model SR9, 9mm pistol, from which the manufacturer's serial number had been removed, altered, and obliterated.

3. On February 23, 2021, Nicholas Gilliam withdrew his plea of not guilty and pleaded guilty in open court to the federal firearm violation charged in Count 1 of the Indictment

and agreed on the record to the forfeiture of the Ruger, Model SR9, 9mm pistol, from which the manufacturer's serial number had been removed, altered, and obliterated.

4. By virtue of the foregoing, the United States is entitled to possession of the subject property pursuant to 21 U.S.C. § 853 [as incorporated by 28 U.S.C. § 2461(c)].

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. The United States is hereby authorized to seize the Ruger, Model SR9, 9mm pistol, from which the manufacturer's serial number had been removed, altered, and obliterated, and it is hereby forfeited pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), to the United States for disposition in accordance with law, subject to the provisions of 21 U.S.C. § 853(n) [as incorporated by 28 U.S.C. § 2461(c)].

2. Pursuant to 21 U.S.C. § 853(n)(1), the United States forthwith shall publish, on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, notice of this Order, notice of the United States Marshal's intent to dispose of the forfeited property in such manner as the Attorney General may direct, and notice that any person, other than defendant Nicholas Gilliam, having or claiming a legal interest in the forfeited property, must file a petition with the Court within thirty (30) days of the final publication of notice or of receipt of any actual notice, whichever is earlier.


This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the forfeited property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the forfeited subject property, as a substitute for published notice as to those persons so notified.

3. Upon adjudication of any and all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n).

IT IS SO ORDERED this 11th day of May, 2022.



  
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DAN AARON POLSTER  
UNITED STATES DISTRICT JUDGE